

IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

-----X		
F. EDWIN HARBACH, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 1:12cv1434 (ATT/JFA)
JOHN DeGROOTE,)	
)	
Defendant.)	
)	
-----X		

**CONSENT ORDER TRANSFERRING THIS CASE TO THE UNITED STATES
BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

WHEREAS F. Edwin Harbach, Roderick C. McGear, and Edward Munson (the "Plaintiffs") filed this lawsuit against John DeGroot ("DeGroot") on November 15, 2012, in the Circuit Court of Fairfax County, Virginia (the "Virginia Lawsuit"); and

WHEREAS Defendant DeGroot removed the Virginia Lawsuit to this Court on December 13, 2012; and

WHEREAS DeGroot filed a motion in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") in a case captioned *In re: BearingPoint, Inc., et al.*, Chapter 11 Case No. 09-10691 (REG), to enforce a Confirmation Order entered in that case on December 22, 2009; and


WHEREAS on December 18, 2012, DeGroot, with the consent of the Plaintiffs, moved this Court to issue a temporary stay of proceedings in this case pending a ruling on the motion filed in the Bankruptcy Court; and

WHEREAS on February 7, 2013, the Bankruptcy Court entered an Order, a copy of which is attached, enjoining the Plaintiffs from prosecuting or continuing the claims brought in the Virginia Lawsuit in any forum other than the Bankruptcy Court, and directing the Plaintiffs either to dismiss this case voluntarily or to file a motion to transfer it to the Bankruptcy Court ; and

WHEREAS the Plaintiffs now request a transfer of this case to the Bankruptcy Court, and DeGroote consents to that request; **it is therefore,**

ORDERED that this case is hereby transferred to the United States Bankruptcy Court for the Southern District of New York.

Dated: February 22, 2013



Anthony J. Trenga
United States District Judge
Hon. Anthony J. Trenga,
United States District Judge

Requested By:

Warren E. Zirkle (VSB No. 15321)
Sean F. Murphy (VSB No. 28415)
Dion W. Hayes (VSB No. 34304)
McGUIREWOODS LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, Virginia 22102

- and -

Paul C. Curnin
William T. Russell, Jr.
Paul C. Gluckow
Craig S. Waldman
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue